

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

CHRISTOPHER CHARLES ALEXANDER
CLACK, CDCR #F-98816,

Plaintiff,

vs.

DEPUTY WILLIAM LATIMER #3275;
DEPUTY HOENIG, #2840,
SAN DIEGO COUNTY SHERIFF'S
DEPARTMENT,

Defendants.

Civil No. 08-0624 IEG (RBB)

**ORDER GRANTING DEFENDANTS'
EX PARTE MOTIONS TO
CONTINUE PRETRIAL DATES**

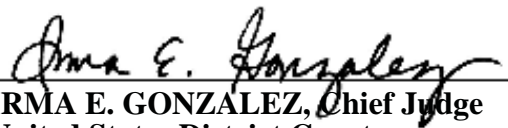
[Doc. No. 47]

Plaintiff is proceeding in *pro se* and *in forma pauperis* with this civil rights action filed pursuant to 42 U.S.C. § 1983. On August 31, 2009 the Court granted in part and denied in part Defendants' motion for summary judgment. (Doc. No. 41.) Plaintiff subsequently failed to appear telephonically at the mandatory settlement conference on September 22, 2009. Magistrate Judge Brooks accordingly issued an order to show cause stating that Plaintiff must submit a declaration explaining his failure to appear no later than October 6, 2009. (Doc. No. 45.) Defendants William Latimer has submitted an *ex parte* application requesting the Court to continue the pretrial dates in this case for sixty days in light of Plaintiff's failure to appear at the settlement conference and the resultant uncertainty with respect to Plaintiff's intentions of pursuing this case. (Doc. No. 47.) Upon consideration of Defendant's request, and good cause

1 appearing, the Court GRANTS the Defendant's application and continues the pretrial conference
2 from October 13, 2009 to **December 14, 2009**. Magistrate Judge Brooks shall issue an amended
3 scheduling order incorporating Defendant's requested changes and the new pretrial conference date. The
4 amended scheduling order shall also adjust filing deadlines relevant to the new pretrial conference date,
5 as necessary.

6 **IT IS SO ORDERED.**

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8 **DATED: September 24, 2009**

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10 **IRMA E. GONZALEZ, Chief Judge**
11 **United States District Court**
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